App F IX 4

Previous References

19 52-53 (Com)

File No 2-52

Serial Nos 8, 9

Later References.

H 1-53-1, 2, 33 101, 102

GENERAL AND REVENUE SECRETARIAT

Serial Nos 2

P 32(C)

Part B for Jan 53

SUBJECT

Representation of Sri K V A Sharma, Senior Health-Inspector, against the order of dismissal of the Corporation - B'lore

L - 17786-39/P 17-1-53

The Co → Corpn B'lore (Mayor)
" C & AO B'lore
" Auditor Corpn "
Sri K V A Sharma

directs that Sri K V A Sharma taken back for duty by reducing the grade

WD 010861—GPB—25 000—18-9-50

General and Revenue Secretariat

File No : 6712 of 1951-52
WD 015452—GPB—PZS—40 000—1 10 51

Serial No

Appeal petition dated 4-2-52 from Sri K V A Sharma, 1 Cookson Road, Bldr S against the orders Resolution of the Corporation dated 3-12-51 dismissing him from Corporation Services for certain irregularities

—

under the proviso (2) to Section 95 of the Corporation Act an appeal lies to the Govt against an order of dismissal, if the Salary of the officer or Servant exceeds Rs 100/- p.m. and he should be preferred within three months thereof

2) It is for orders if a Report and all connected Records may be called for from the Corpn

Asst 18/2/52

3) Secy (Legal) A report with all called for

20/2/52

4) Yes

5) Dft Letter to the Corpn, B'lore Corporation is put up for approval

Asst 26/2/52

6) Issue

11/3

NOTE—Contn Sheet

File No 6912/ml 2579/mil of 19

General and Revenue Secretariat

Serial No

The Commissioner
Corporation of the city of Bangalore
(thro the Mayor)
L 14622/Land1 dated 13.3.52
calls for certain information — Sus A

From
The Collector, Bangalore Corpn
No B 12 pR 51/52 53 dt 27.6.52
Forwards his report called for

1) Draft letter to the Collector, calling for the original petition & the appeal to put for approval.
Mas 16/7/52
Sd 15/7/52

2) Done
Sd
12/7

The commissioner
Corporation of the city of Bangalore
(thro the Mayor)
L 5043/dated 19.7.52 — Sus A
calls for the original Pltn

Representation of Sh K V Sharma Ex Health Inspector against the order of dismissal by the Corporation [App F III 2

General and Revenue Secretariat

File No 2579/3353 of 1952-53

WD 015452—GPB—PZS—40 000—1 10-51

Serial No

From

The Concern. Corporation of B'Gore

No B 12- P R 51/52 53 Dated 26 7 52

Relative the original petition of Sri K V Sharma

—

9) It is seen from the Records letter dated 9 7 51 of the Health Officer to the Commr, that the Jhalarapet Town police had Registered a Case against Sri Sharma in Cr no 74/51-52 for possession of 69 Sers of Rage under the act a Valid permit or Ration document when his house was Raided As the punishment of dismissal meted out to him is Rally drastic it might be helpful to ascertain the result of the case (Judicial enquiry) and get a Copy of the judgement order also for a proper appraisal of the position of ~~appeal~~ information ~~and his character obtained~~ on the following points may also be necessary -

(a) When was this Official given the charge of the Depot the question ?

(b) Who was in charge prior to the handing over and whether the Stocks were verified and found Correct at the time of handing over ?

(c) Where were the Stocks on the Depot Checked prior to the police and the Food officials

Note—Contn Sheet

Representation of Sri K V A Sharma, Ex Health Inspector against the order of dismissal by the Corporation

File No 2579/V3253 of 1953 and V3419 — General and Revenue Secretariat

Serial No

Secured on the Depot, by whom may
act what Result ?

(d) Is the responsibility for the
space being given what the D.I.S
whatever the agency to run the Depot
why the D.I.S was not consulted
before a decision was taken on the
Case ?

(e) How long this official was
in charge of the Depot ?

(e) What was the estimated loss to the Corporation on account of this shortage

No action

(f) The character Book of the Official
for orders of the Commissioner may
to know his antecedents
may be called for

10) For orders of enforcement on
the above points may be called for
as the Records now Sent by the
Counsel do not Contain them

RJS 20/8/52

11) Instead of asking all these questions, the Commr will be requested to furnish a Report on the several points noted in the petition of the applicant and to forward a copy of the judgment of the Criminal Court. If the party was innocent, he should have proceeded in the Court for orders on the point at A

A

2418

Secy (I) dsg) + approved

21/8/52

H 2918

prosecution of Sri K V A Shankara for the alleged dispossession against his order of dismissal by the Corporation 5744/App F III 2

General and Revenue Secretariat

File No 3419/xl of 1952-53

WD 014498—GPB—40 000—13-7 vl

Serial No

13) Copy of the Petition of the Commissioner, Bangalore Corporation asking for a copy of the judgement and set up for appeal, as the Commissioner reports on the appeal petition is already obtained and is in the file

Advocate 26/3/52

Sd/- illegible

14) Issue

Sd/- illegible

29/8

To

The Commissioner

Corporation of the City of Bangalore

(Thro the Mayor)

Lr 8611 dated 19 5 52

Sir

The Petitioner Bangalore Corporation

Writ Petition No 51/52 D/ 25 10 51

Petitioners Corporation Calls for

16) The judgement copy in this case is sent by the petitioner. The accused has been acquitted on the ground that the Rajah in his possession of a prohibited quantity under the Harvest Regulation order, 1949, as he is the owner of 20 acres of dry land

(for seed purpose)

16) The Rajah has been relieved to have also

17) Calls for orders Regd paras 11, 12 and 13 above - Only the judgment copy has been

Advocate 1/4/52

NOTE—Contr Sh et

Serial No

Received Detailed report on the several points noted in the petition called for has been received already

3/11/32 18) Under what provision of the Corpn Act, can a Corporation appeal Come in appeal to Govt against an order of dismissal

5/11

19) Second Reference is made to para 1 of the notes above No appeal against such orders lies to Govt under Sec 95 - proviso 2 - of the Corporation Act, if the Salary of the officer or Servant exceeds Rs 100/ p m

6/11/32

6/11/32 20) From the copy of Judgment produced by the Corpn it is seen that Sri Sarma, the accused in the case filed before the first class Magistrate Civil Station Bolpur, has been acquitted as the charges were not at all proved by the Corporation Prosecution Therefore the next course is to take him on duty and give him such leave as is at his credit from the date he was kept out of office on the ground the order of dismissal may be set aside and the appeal may be ordered to be taken on file granting him leave as suggested above

Serial No

as suggested above

81/11

Secy (L-SG)

2) Once a prosecution has been launched against an official, if no conviction is secured, and he is acquitted in a court of law, it will not be right to dismiss him unless there are very strong grounds for taking departmental action against him. The order of dismissal cannot be supported. The official has to be taken back on duty

Move for L-SG Sp 4) 19/11/52 Secy

2) The official may be taken on duty, the period during which he was kept out of office being treated as leave to which he was entitled to Notwithstanding to his acquittal in the Court, some departmental action is called for He may be reduced to Junior Health Inspector's grade + fixed on Rs.60/- for a period of one year

18/11/52

19/11/52

Note-Cortn Sheet

OFFICE OF THE PUBLIC HEALTH GOVT 10 V Lr No 5822

Appeal petition of Sri K.V.A Sharma against the order of Hon'ble Dismissal

File No S 741/52 of 1952-53 | General and Revenue Secretariat

Serial No

23) Off — Go & put up cs for approval.

Desk 19/11/52

SD 19/11/52

Secy Dept

22/11

I will personally take this file to the Hon'ble Minister please put this up

for 22/11/52

23/11

I have discussed this with the Hon'ble Minister. He desires that the Go may issue

81/53

8/11

by the Commissioner of Police Bombay Chief Player, C.S.A.D. L 17736 39 & 17/1/53

Reds to Copies before

K V A Sharma

B 22/11/53

SECRETARY TO GOVERNOR M.L.S.O DEPARTMENT 29 NOV 1952

No. L 8611
1-9-1952

To

The Commissioner
Corporation of the City & Bde
Chennai (the Mayor)

Subject: Representation of Sri
K V A Sharma, Senior Health
Inspector against the order of
dismissal by the Corporation

—

Sir,

With Reference to the
Correspondence ending with your
letter no. B 12 - PIR 51 / 52-53
dated 26 7 52 on the above
subject, I am directed to forward
you herewith the result
of the case filed by the Harbour
Town police against the appeal
as in no 74/51-52, of the
Bench has been disposed
of.

A Copy of the judgement of
the Court may also be sent
for reference

Yours faithfully
29/8
for Secy

29/8/52

26/8/52

App F G 3J

\ERAI AND RLVENUE

SICRLTARIAT

(~~Continuation sheet draft form~~)

No L 14622/Estt Dtg and Petitions

13 3 52

To

The Commissioner

Corporation of the City of Bloemfontein

(Through the Mayor)

Sir

I am directed to forward herewith the original appeal petition dated 4/2/52 received from Sir K V A Sharma, 1 Coetzee Road, Bloemfontein against the Resolution of the Corporation dated 3 12 51 declining to give the Corporation Service an Concession on certain irregularities in the Stock accounts of the Sweeper grave Depot at Cavalry Road and Station and to request that a detailed Report thereon / with all the Corporation Records of your office may be sent very early

Yours faithful

[illegible]

26/2/52

to this office)

WD 01085—GPB—20 000—18 7 50

CORPORATION OF THE CITY OF BANGALORE.

25-79 7 JUL 1952

No B12 Pr 51/52-53
Enc Service files

CORPORATION OFFICES
BANGALORE

Dated 27th June 1952

FROM

B M ABU BAKER LSQ M A (Hons)
COMMISSIONER
CORPORATION OF THE CITY OF BANGALORE
BANGALORE

To

The Secretary to the Government of Mysore,
Local Self Government Department,
Bangalore

SIR

REF - REPRESENTATION OF SRI K V A SHARMA, SENIOR HEALTH INSPECTOR, AGAINST THE ORDER OF DISMISSAL BY THE CORPORATION

With reference to your letter No L 14622 dated the 13th March 1952, forwarding the appeal petition in original and calling for a detailed report in the matter, I write to state as follows -

Sri K V A Sharma was in charge of the Sweepers Ration Depot in the Cavalry Road, Contonment area and was responsible for the receipt of rations and issue of the same to the sweepers there On the afternoon of 29th January 1951, the Assistant Food Inspectors with the help of the Police, paid a supprise visit to the above Depot and found that there was a shortage of 29½ seers of Medium rice, 52¾ seers of Ragi and 64¼ seers of Jola in the stock of the Depot, after measuring the stock on hand and the same night they checked the house of the above Health Inspector and found that he had 27¾ seers of fine rice and 69 seers of ragi boarded in his house, and as the ragi was not covered by any permit, it was seized in the presence of the Panchayatdars and taken to police custody The Asst Food Inspectors also found discrepancy in the issue of rations made on that day, in same cases, smaller quantities than the quota had been issued and in one case, a longer quantity had been issued A report was then received from the

p t o

Rationing Officer, requesting that necessary action might be taken at this end regarding these irregularities

In the meantime, on 30th January 1951, Sri Sharma reported about the surprise check and the raiding of his house by the Food and Police Department officials on 29th January 1951 and offered an explanation for the shortage

As the matter was a serious one, the Sanitary Inspector was placed under suspension on the recommendation of the Health Officer, who was requested to personally investigate into the matter and submit a detailed report Accordingly he called for all the concerned officials and obtained their statements and after going through the evidence before him, framed charges against Sri Sarma that he had caused loss of 29½ seers of rice, 52¾ seers of ragi and 64½ seers of jola and was asked to explain why disciplinary action should not be taken against him in this behalf Sri Sarma was also given ample oppartunities to cross examine all these whose statements had been recorded by the Health Officer And after a detailed enquiry, he recommended that Sri Sarma may be reduced from Senior Health Inspector's grade of 80-4-120 to Junior Health Inspector's grade of 45-3-90 and he be fixed on ₹ 60/- in the latter grade While approving the above recommendation I ordered that this reduction be for a period of 6 months' as a punishment

When the above was placed before the Standing Committee (Health), they resolved on 20th September 1951 that, as the offence committed was of a very serious nature deserving deterrent punishment, Sri Sarma, Senior Health Inspector, be dismissed from service This was approved by the Standing Committee (Taxation and Finance) on 19th October 1951 and was unanimously passed at the Corporation meeting held on 3rd December 1951, and in pursuance of the above, Sri Sarma was dismissed from service And it is against this order of dismissal that Sri Sarma has filed his appeal petition

under Section 95(VIII) of the Corporation Act

It is seen from his appeal petition that he has denied the charges against him on the following ground and has stated that the order of dismissal is wrong

He states that on the 29th January 1951, when the Food Department officials checked the Depot, 33 sweepers had been issued rations but entries in the issue register had been made in respect of 30 sweepers only, which has resulted in the alleged shortage This official was the first to report on 30th January 1951 about the surprise check and the findings of the officials of the Food and Police Departments but he has not made mention of the issues to 33 persons and omission to note entries in respect of 3 sweepers in the issue register Evidently this is an after thought on his part to cover up the shortage Further, the statement of Janab Rawoof Beig, Sanitary Overseer, before the Health Officer on 13th August 1951, who assisted in issuing the rations on 29th January 1951, clearly shows that only 30 sweepers were issued rations on that day upto the time of the surprise check On the other hand, the raid on his house on the night of 29th January 1951 had yielded 69 seers of ragi which could not be properly accounted for by him

The other point on which Sri Sarma takes his stand, is that when the accounts of January 1951 were checked in the usual course by the Food Department, they had not made any remarks, which showed that the accounts tallied Regarding this, it may be stated that the shortage was found by the Food Department after actually measuring the grains in the Depot and it was on their report that the whole investigation was started

The three files connected with this case to-gether with the service register of the official and the appeal petition (in original) received with your letter under advertance are herewith enclosed The receipt of the records may be kindly acknowledged

Forwarded with compliments
MAYOR

Yours faithfully,
Commissioner 25/6

Appendix F G—11

SUBJECT Representation of Sri K. U A Sharma, Senior Health Inspector against the order of dismissal by the Corporation

Section

File No

Serial No

No L 5043

To 19-7-52

Diary No of letter replied to

General and Revenue Secretariat

( )

the 19

Date of issue

Signed by

The Commissioner
Corporation of the city of
Colombo

Sir,

With reference to your
letter no B 12- P R 51/52-53
dated 27 6 52 on the
above subject, I am directed
to request you to return
the original petition of Mr. K
U A Sharma Senior Health
Inspector under your letter no L 14622
dated 13 3 52

Yours faithfully

for Secretary

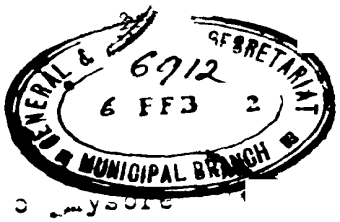
Gen & Rev Secy
18/7/52

List of enclosures

Copied by

Examined by

VD 015460—GPB—30,000—25 9 51



Secretary to the Government of Mysore,
Local Self Government to the Government of Mysore

CORPORATION OF THE CITY OF BANGALORE

No.B12-Pt 51/52-53
Enclosures Eight

CORPORATION OFFICES
BANGALORE

Dated 26th July 1952

FROM
THE COMMISSIONER,
CORPORATION OF BANGALORE
BANGALORE

To
The Secretary to the Government of Mysore,
Local Self Government Department,
Bangalore

SIR

SUBJECT - REPRESENTATION OF SRI K V A SHARMA, SENIOR HEALTH INSPECTOR AGAINST THE ORDER OF DISMISSAL BY THE CORPORATION

With reference to your letter No L 5043 dated 19th July 1952, on the above subject, I am returning herewith the original appeal petition of Sri K V A Sharma, received with your letter No L 14622 dated 13th March 1952

Yours faithfully,

(B M Abu Baker)
Commissioner

The Secretary to the Government of Mysore
Local Self Government to the Government of Mysore

Sir

I beg to submit this my appeal against the resolution of the Bangalore Corporation dated 3-12-1951 dismissing me from service in the Corporation for certain irregularities alleged to have been found

I am a permanent Sanitary Inspector in the grade of Rs. 100-5-125 in the Health Department with a total service of 19 years with a clear record of service in my career

On the 29th of January 1951 a surprise check by the Food Department made and found 29 seers of rice 52½ seers of ragi and 64½ seers of Jola were found short The next day I appraised my departmental superiors of the position and explained that there was no shortage and that rations issued to 33 sweepers were not entered in the issue register as actually rations were issued to 3 persons and that only entry had been made for 30 persons, When I was asked to carry on with the rest of the issue on the 30th by the Health Officer and the Commissioner, When all the rest of the sweepers were issued, entries made and accounts closed there was no shortage and all the sweepers had received their rations The accounts for Feruary, 1951 was also checked by the Food Officials in the usual course and no remarks were made in the stock book as the balance all e

On the 8th of May1951 to my surprise I was asked to explain the above even though there was no shortage actually vide Health Officers letter dated 8-5-51 (Exhibit A) and my explanation in (Exhibit B) enclosed

For no proper reason I was placed under suspension from 17-7-1951 without an enquiry and the Commissioner started an enquiry after wards only, See Commissioner's order dated 17-7-1951 (Exhibit C)

In the course of the proceedings I was asked to produce the three sweepers who had received their rations for enquiry vide Health Officer's memo dated 4-8-1951 (Exhibit D) and they had given evidence that they had received their rations on the first day

In spite of there being no shortage, and no charge being proved against me, I have been dismissed from service of the Corporation on the recommendation of the Standing Committee and the orders were received by me on the 8th of January 1952 by registered post vide copy of Health Officer's memo dated 21-12-51 communicated through the A H O Exhibit E

I submit that the order of dismissal, based on the original reported shortage without taking into account the omission to post the entries for 2 three sweepers and which is proved by actual evidence and entries in stock register, is wrong and a grave miscarriage of Justice has been done

If actually there had been a shortage anywhere the Department should have purchased the grains reported as a loss and issued to the sweepers then alone there would have been a loss and irregularity on my part The actual position is that there is no shortage after the entries were completed and the dismissal is therefore not warranted I therefore pray that the order of dismissal be cancelled and I be restored to service from the date of suspension

Thanking you,

I beg to remain
Sir,
Yours obediently,

K V A Sarma
4/2/1952

From
K V A Sarma,
1 Cookson Road
Bangalore 5
Dated 4th February 1952

"EXHIBIT A "

CORPORATION OF THE CITY OF BANGALORE

No H/P R 4/51-52

Office of the Health Officer,
Bangalore
Dated 8th May 1951

Ref - * 1 Copy of letter No R1-Spl 772/50-51 dated 23-2-1951 from the Rationing Officer, Bangalore, addressed to the Director of Food Supplies in My Mysore Bangalore re irregularities in stock of the sweepers depot at Cavalry Road, Civil Str Bangalore

Explanation of Sr Health Inspector Sri K V A Sharma incharge of the Depot dated 16-4-1951 re the shortage etc

3 Report of A H O (3) dated 18-4-1951 on the matter

M E M O

At the surprise check made by the Food Department and Police of the Cavalry Road sweepers' Ration Depot on 29-1- 1951, 29½ seers of medium rice 52¾ seers of ragi and 64 seers of jola where found short in the stock as reported by the Food Department

Sri K V A Sharma, Sr Health Inspector, who is in charge of this depot explains that the shortages found were chiefly due to the rations issued to three sweers, not being recorded in the register

The above explanation of Sri K V A Sharma for the shortages found cannot be accepted as the entries, in respect of issues made have to be entered in the register before issues are actually made He is responsible for the shortages reported A chaege is therefore framed against him for causing loss of 29½ seers of medium rice, 52¾ seers of ragi and 64½ seers of jola at the Cavalry Road sweers' Ration Depot maintained by the Corporation He is required to submit his explanation within three days, to the above charge, as to why disciplinary action should not be taken against him for the shortages found during the surprise check and the loss caused to the Corporation

IGF / 8-5-1951

Sd/- B Goverdhan
8-5-51 Health Officer

Copy to - Sri K V A Sharma, Sr Health Inspector for submitting his explanation within three days positively

S I XIII for immediate report
Sd H Krishna Rao
9 5 A H O (3)

P T O

EXHIBIT B

Page 2

S/ Sri K V A Sarma Sart Inspector is on leave for 15 days from 7-5-51 or information please

Sd --
S O 40 for S I XIIIc

+2 Please keep this pendin_

Sd -
13/5 A H O (3)

L S L/P R 4/51-52

A H O (3) For early report as the concerned official has now returned to duty

Sd --
Health Officer I/C
30-5-51

S I XIII
Sd --
30-5 51

True Copy

[signature]

"EXHIBIT B"

Submitted -

Ref H 1 P R 4/51-52

From the beginning of the rationing scheme to the sweepers by the Health Department the Sanitary Inspector and the Overseer of each Division were jointly working towards getting the rations from the Depot, issue to the sweepers and maintaining stock vide H O order from 1942 On the day in question the Sanitary Overseer was issuing the rations and as he was new to it he omitted ticking three sweepers names eventhough they were issued before the Food Department inspected the Depot This fact could be discovered only the next day when all the sweepers had been issued but still the list showed three names as not issued and on enquiry the sweepers themselves said that they had their rations drawn the previous day itself

If the Food Deparment people had remained till all the stocks were issued and had measured all the bags individually and not by average as they did, they would have discovered that there was absolutely no shortage This could be verified from the stock book maintained and this was also checked by the Asst Rationing Officer subsequently

By measuring a portion of the stock and issue the Food authorities have wrongly estimated as shortage but in fact there has been no shortage at all and no loss caused to the Corporation which could be seen from the records maintained

If there has been some irregularity in the procedure of issue I beg to report that the SO was new to the work and for the fear that entries may be made against wrong numbers the S C did not enter the register first The sweepers too, taking advantage of the S C being new would have worried him so much that he left off ticking these three names

Sd- P V A Sarma
S I XIII

"True Copy

*EXHIBIT 2

AS 6000/51-52

Office of the Commissioner,
Corporation of the City of Bangalore
Bangalore dated 17th July 1951

Reference - Report No 1 4/51-52 dated 9-7-1951 from the Health Officer regarding the irregularities in stock accounts of the Corporation sweepers, grain depot at Cavalry Road Bangalore and charges against Sri V V A Sharma, Sr Health Inspector etc

ORDER

I shall examine the case on 24-7-51 at 4 P M The Official may also be present to render such explaration as may be necessary

In the meanwhile as the charges are of a very serious nature he may be placed under suspension and relieved of his charge forthwith

Sd/- T S Thirannayya
Commissioner
Dated 17th July 1951

No H1 1/51-52

W T C

Copy to A H O (3) for information and to make necessary arrangements to relieve him immediately by taking complete charge from him and report immediately on 18-7-51

2) copy to Sri V V A Sharma Sr H I for information

Sd- T P Govardhan
17/7
Health Officer,
Corporation of Bangalore

*TRUE COPY

Ceperwy

EXHIBIT D

o H1 PR 4/51-52

Office of the Health Officer,
Corporation of the City of Bangalore
Dated 4th August 1951

L E T C

Sri V A Sharma Sr Sanitary Inspector Civil Station (under suspension) will produce for enquiry he 3 sweepers he were issued 1th rations on the first day, but who were not marked as stated bt him in his application in correction with the irregularities observed on 29-1-1951 in the Stock accounts of he sweepers train depot at Cavalry Road Civil Stat on The enquiry will be held by the undersigned in his chambers at 11-o A M on Tuesday the 7th Aug 1951

Sd M R Goverdham
4-8-51
Health Officer

MGK/4-8-1951

True Copy

Resolution passed at the adjourned meeting of the Corporation of the City of Bangalore, held on the 3rd December, 1951

42 Recommendation of the Standing Committee(Taxation and Finance) dated 19th October 1951, and of the Standing Committee (Health) dated 20th September 1951 that Sri J A Sharma Senior Health Inspector be dismissed from service as the offence committed by him i.e., irregularities in the stock accounts of the Corporation Ration Depot, Cavalry Road, is of a very serious nature

Sri J S Seetharam moved the following resolution -

Resolved that the recommendation of the Standing Committee (Taxation and Finance) dated 19th October 1951 and of the Standing Committee(Health) dated 20th September 1951, that Sri J A Sharma Senior Health Inspector be dismissed from service as the offence committed by him i.e. irregularities in the stock accounts of the Corporation Ration Depot, is of a very serious nature be approved

The resolution was put to vote and passed unanimously

Sd Partner Mayor

Copy of memo No H6-2090/51-52, dated 13th Dec 1951, from the Commissioner, to the Health Officer, for information and needful action The Official may be intimated accordingly

---

Dated 21-12-1951

memo

Copy forwarded to A C 3 for information, necessary action and communication to the Official concerned

2 Copy with the connected papers to H2

3 Copy to Memo file

Sd-
For Health Officer

S I XIII Sri Sharma to note and return

Sd
A C (3) 22/12

H 2

This may be sent to the concerned by post please
Sd -- - 23/12

D C

Sd P Goverdhan 22/12

"True Copy

Advocate

Bangalore
Dt 31 7 1952

From K V A Sarma
no 1 Cookson Road
Bangalore - 5

To The Secretary To the Local Self Government
with the Government of Mysore
Bangalore -

Ex MRs S.V

I beg to submit That I was dismissed from the services of the corporation where I am a permanent Sanitary Inspector in the grade of Rs 100 - 125 on the recommendation of the Standing Committee for certain irregularities

The orders were communicated to me by Registered Post on 8 7 1952

I have appealed against this orders to your good self on 6-2 1952 I beg to state that the orders of the corporation was on mere prejudice and not on facts, which can be seen from the relevant papers & records

As I have not been favoured with any news I beg to request you to cause early enquiry into the matter and pray that justice may be meted out to me

Thanking you

Yours obediently

KV Sarma

Crl 2-52-X

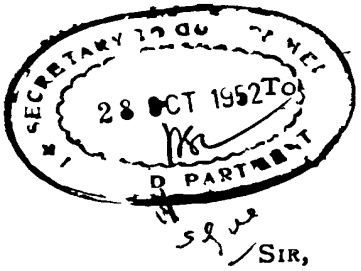
CORPORATION OF THE CITY OF BANGALORE

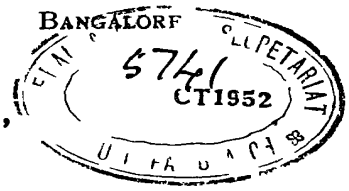
No B12 P R 51/52
Enc one Judgement copy

CORPORATION OFFICES
BANGALORE

Dated 25th October 1952

FROM K HENJERAPPA, ESQ, B A, B L,
~~EXMXXABXXXBAKERXIXSXXXXXXXXXXXXX~~
COMMISSIONER
CORPORATION OF THE CITY OF BANGALORE





The Secretary,
Local Self-Government Department,
B a n g a l o r e

SIR,

L HAS

Subject - Representation of Sri K V A Sarma, Senior Health Inspector, against the order of dismissal of the Corporation

- - -

Adverting to your letter No L 8611, dated 1 9 52 regarding the above and calling for a copy of the Judgement in Cr No 74/51-52, I write to state that the case in question ended in acquittal A copy of the Judgement is herein enclosed for reference

Forwarded with compliments

BV Lankappa

(B V LANKAPPA)
MAYOR

Yours faithfully,

K Henjerappa 28/10

(K HENJERAPPA)
COMMISSIONER

BSS

In the Court of the Ist Class
Magistrate of Civil Station,
Bangalore
This 4th Day of March 1952

Present Sri B G Kosal Ram, Ist Class Magistrate, Civil Station, Bangalore

Complaintantane — G C No 559/51-52 — Accused K V A Sarma

Government

J U D G E M E N T

1 The accused is charged sheeted for illegal possession of 69 sares of Ragi

2 The case for the prosecution is as follows -

The Accused is a municipal Servant in charge of the Sweeper Depot and on 29 1 1951 on a check by P W 1 and P W 3, Assistant Food Inspector of Civil Station, Bangalore and P W 4 and Senior Inspector of Police, a shortage of 29½ seers of Rice, 52¾ Ragi and 64¼ Jola was noticed in this issue Depot these went to the house of the accused and serched the house in the presence of Panchayathdars of whom P W 2 is one and they found 69 Sares of Ragi (M O in the case) in the house of the accused and the accused had no permission for this possession He is a ration card holder and no Ragi is supplied to him Hence P W 4, seized M O I under Ex P * The articles of food acquisition Harvent order 1949 has been duly published

3 The P W's depose to these facts and to exhibits and M Os in the case

4 The accused when examined, admitted the possession of this ragi and said that they were seedling Ragi kept by him for sowing purposes, of his lands

5 To a charge Under C 1 4 (4) of the Articles of Food Acquisition Harvest order 1949, read with Cl 17 (2) of the essential supplie temporary powers act, the accused pleaded not guitly and claim to be tried

6 He did not further cross examine any of the P W's, though he recalled them and did not make any further statement but examined 4 witnesses in his defence P W 1 and 2, depose that they sent the accused in all about 90 seers of seed ragi for seed some time about the last sowing season and that accused sowed some on his land and due to failure of rains, did not sow the rest and took the ragi to his house

D W 3 Patel of Kacharkanhalli deposes that the accused owns lands in that village and that the witness gave the accused Ex D 1 to take this balance of seed ragi to the accused's house at Coakeson Road

8 The possession of this ragi is proved in this case and addmitted by the accused The P W's are unable to say whether this is Ragi which can be used for sowing but the D W's depose that this Ragi can be used for seed purposes and there is nothing shown by the prosecition against the evidence of D W's and I accept this evidence and hold that this ragi can be used for seed purposes It is also in the evidence of both the P W 's and D W 's that the accused own Ragi growing lands, and the extent according to P W 4 is 20 acres and 32 guntas I accept this evidence

9 The articles of Food Acquisition Harvest Order 1949, allows at the rate of 12 seers of ragi per acre of land other than irrigated for seed purposes under Articles 5 and according to this, the accused will have a right to possess at least 120 seers of seed Ragi Hence I hold that the accused has not exceeded the quantity of Ragi allowed to him by the articles of Food Acquisition Harvest Order 1949

10 Hence I acquit the accused of the charge and cancell his bail bond

11 I O 1 with Ragi will be returned to the accused pronounced in open court this 4th Day of March 1952

Sd/- B G, Kosal Ram
Ist Class Magistrate

P W's examined
1 Verkatasubiah Naidu
2 Visvanatha Sastry
3 Dakshina Murthy
4 Mr Thimmiah Gowda, Inspector
5 M M Narendranath S I of C 12

M O 1 A Drum containing 69 seers of ragi

D W's Examined

1 **Doddamuniappa**
2 Syappa
3 Pillappa
4 M Subba Rao

Ex P 1 Mahazar for seizene
2 Report of P W 1
1 (a) Signature of P W 2
1 (b) Signature of P W 3
D 1 Permit given by Pillappa, Patel
D 2 Accounts Book of P W 4
(a) Entry for paying Kandayam in 1948

3 Copy of lease deed

Sd/ B G Kosal Ram,
Ist Class Magistrate,
Bangalore

' C O P Y "

Commissioner

G R S, App F VI—G 2]

SUBJECT

6 Copies

Diary No of letter replied to

General and Revenue Secretariat

( )

the *195*

Section CM 2-52

Serial No 2

File No 9

Proceedings of the Government of Mysore

Date of issue ... 195

Read— dated 4 2 52

Appeal petition from

Sri A O A Sharaa, 1 —

Cocoaroo Road, B'lore appealing

against the Resolution 2

the Corporation dated 3 12 51

~~Order thereon—No~~)

discussing Cess from the

Services of the Corporation

as Sewer where he was

working as Sewer Health

Inspector on Consolidation with

Cess) irregularities Grant

to Cess on the Store accounts

of the Sweepers grave Dept

Signed by

May this be—

(i) printed?

(ii) treated as a standin o der?

(iii) published in the Gazette En lish Part?

(iv) translated?

(v) pl ced at the disposal of the Press?

(vi) published in the Gazette Kannada Part?

Recd on 16/1/53

Shortages and

at Cavalry Road, Cecil Station.

2) Correspondence ending with
Letter no B 12-pR 51/52. dated 25/6/52
from the Commissioner, Corporation
of the city of Bangalore forwarding the Report in the matter
and also the Report along with a Copy
of the judgement, in Criminal case no
74/51-52 registered by the Inspector
Town police against accused at
the Court of the First class Magistrate
Cecil Station, Bangalore.

Order no L 17736-39 A17/53

Once a prosecution has been
launched against the accused, if no
Conviction is secured and the
accused is acquitted in a Court of law, it
will not be right to dismiss him
unless there are very strong grounds
for taking departmental action
against him. The order of dismissal
of the accused by the Corporation
cannot therefore be supported.

List of Enclosures

Copied by

Examined by

WD 015455—GPB—12 000—25 9 51

Orders are therefore issued to direct under the provisions of Sec 95 of the Corporation Act that the appeal of Sri K U A Sharma may be taken back on duty, the period of his absence being treated as leave to which he is entitled to and that he is accordingly directed to report at the earliest for duty

Sd/-
L S G Secy

Sd/- 22/11
Ag Ag 19/11/51

To

1) The Executive Corporation of the City of Blore (through the Mayor) and all concerned Records of the SR of the Appellant

2) The Controller, I.A.D

3) Director, Corpn of the City of Blore

4) Sri K U A Sharma, No 1 Cookson Road, Blore

Sd/- 13/11/51

PROCEEDINGS OF THE GOVERNMENT OF MYSORE

Read :-

Petition dated the 4th February 1952 from Sri K V A Sharma, 1, Cookson Road, Bangalore, appealing against the resolution of the Corporation dated 3rd December 1951 dismissing him from the services of the Corporation where he was working as Senior Health Inspector in connection with certain shortages and irregularities traced to him in the stock accounts of the Sweepers' Grains Depot at Cavalry Road, Civil Station

2 Correspondence ending with letter No.B 12-P R 51/52 dated the 25th October 1952 from the Commissioner, Corporation of the City of Bangalore, forwarding his report in the matter and also a copy of the judgment of the case in Crire No 74/51-52 registered by the Fraser Town Police against him in the Court of the First Class Magistrate, Civil Station, Bangalore

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ORDER No L 17736-39/C M 2-52-9

DATED, BANGALORE, the 17 JANUARY 1953

Once a prosecution has been launched against an official, if no conviction is secured and he is acquitted in a Court of law, it will not be right to dismiss him unless there are very strong grounds for taking departmental action against him The order of dismissal of the official by the Corporation cannot therefore be supported Government are therefore pleased to direct under the provisions of section 95 of the Corporation Act, that the official, Sri K V A Sharma may be taken back on duty, the period of his absence being treated as leave to which he is entitled to. Even though he is acquitted by the Court some departmental action against him is called for He is therefor reduced to the grade of Junior Health Inspector on Rs 60/- per mensem for a period of one year

V Hanumanthappa
for Secretary to Government,
L S G Department

To

The Commissioner, Corporation of the City of Bangalore, (through the Mayor) with all connected records and the Service Register of the official.
" Controller, State Accounts Department,
" Auditor, Corporation of the City of Bangalore,
" K V.A Sharma, No 1, Cookson Road, Bangalore.

Lab 6 13/1